

(RZx), CLOSED, DISCOVERY, FOIA

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF
CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:10-cv-08375-MMM -RZ**

James Lee Pinkerton v. United States Department of Justice et al Date Filed: 11/04/2010
Assigned to: Judge Margaret M. Morrow Date Terminated: 09/19/2012
Referred to: Magistrate Judge Ralph Zarefsky Jury Demand: None
Cause: 05:552 Freedom of Information Act Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**James Lee Pinkerton**

represented by **James Lee Pinkerton**
REG 19444-148
Terminal Island Federal Correctional
Institutions
P O Box 3007
Terminal Island, CA 90731
PRO SE

V.

Defendant**United States Department of Justice**

represented by **Keith M Staub**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**United States Parole Commission**

represented by **Keith M Staub**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**United States Probation Department**

represented by **Keith M Staub**
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Defendant**Federal Bureau of Prisons**

represented by **Keith M Staub**
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Date Filed	#	Docket Text
11/04/2010		LODGED COMPLAINT under the Freedom of Information sought to be filed by Plaintiff James Lee Pinkerton. (et) Modified on 11/8/2010 (et). (Entered: 11/04/2010)

		11/08/2010)
11/04/2010	<u>1</u>	NOTICE RE: DISCREPANCIES WITH LODGING OF COMPLAINT mailed to Plaintiff James Lee Pinkerton. Upon submission of your complaint it was noted that you did not pay the appropriate filing fee. If you are unable to pay the entire filing fee at this time, you must sign and complete the CV60p form attached. If you do not respond within 30 days of the date of this letter your action will be dismissed. Re Lodged Complaint. (Attachments: # <u>1</u> Lodged Complaint Under the Freedom of Information and privacy acts) (et) (Entered: 11/08/2010)
01/05/2011	<u>2</u>	COMPLAINT against Defendants Federal Bureau of Prisons, United States Department of Justice, United States Parole Commission, United States Probation Department. Case assigned to Judge Margaret M. Morrow for all further proceedings. Discovery referred to Magistrate Judge Ralph Zarefsky.(Filing fee \$ 350 PAID.), filed by Plaintiff James Lee Pinkerton. [SUMMONS NOT ISSUED ON 1/5/2011] (Attachments: # <u>1</u> Payment Receipt). (et) Modified on 1/10/2011 (et). (Additional attachment(s) added on 11/23/2011: # <u>2</u> summons) (bp). (Entered: 01/10/2011)
08/30/2011	<u>4</u>	MOTION to Compel Answers to Interrogatories filed by Plaintiff James Lee Pinkerton. (mz) (Entered: 09/02/2011)
08/31/2011	<u>3</u>	ORDER TO SHOW CAUSE RE LACK OF PROSECUTION by Judge Margaret M. Morrow. Response to Order to Show Cause due by 9/20/2011. (rrey) (Entered: 08/31/2011)
09/02/2011	<u>5</u>	NOTICE OF DOCUMENT DISCREPANCIES AND ORDER by Magistrate Judge Ralph Zarefsky ORDERING Motion to Compel Answers to Interrogatories submitted by Plaintiff James Lee Pinkerton received on 8/30/11 to be filed and processed; filed date to be the date the document was stamped Received but not Filed with the Clerk. (mz) (Entered: 09/02/2011)
09/13/2011	<u>6</u>	MINUTES (IN CHAMBERS) ORDER by Magistrate Judge Ralph Zarefsky denying <u>4</u> Plaintiff's Motion to Compel Answers to Interrogatories without prejudice. (See attached document for details). (ib) (Entered: 09/13/2011)
09/20/2011	<u>7</u>	EX PARTE APPLICATION for Order directing clerk to issue summons filed by plaintiff James Lee Pinkerton.(rrey) (Entered: 09/22/2011)
11/21/2011		60 DAY Summons Issued re Complaint – (Discovery), Complaint – (Discovery) <u>2</u> as to defendants United States Department of Justice, United States Parole Commission, United States Probation Department. (bp) (Entered: 11/23/2011)
12/08/2011	<u>8</u>	PROOF OF SERVICE filed by plaintiff James Lee Pinkerton, re Complaint – (Discovery) <u>2</u> served on 12/6/11 upon the United States Attorney's General Office, and United States Attorney's Office, Los Angeles, California (No return receipts attached) (rrey) (Entered: 12/12/2011)
02/28/2012	<u>9</u>	REQUEST for Clerk to Enter Default against Defendants Federal Bureau of Prisons, United States Department of Justice, United States Parole Commission, United States Probation Department filed by plaintiff James Lee Pinkerton. (bp) (Entered: 03/05/2012)
03/05/2012	<u>10</u>	NOTICE OF DEFICIENCY Re: REQUEST for Clerk to Enter Default against Defendants Federal Bureau of Prisons, United States Department of Justice, United States Parole Commission, United States Probation Department <u>9</u> . The Clerk cannot enter the requested relief as Proof of Service is lacking required information. Signed, returned receipt of certified mail not attached to proof of service. Requesting party shall file a new Request/Application with noted deficiencies corrected in order to have default reconsidered.. (bp) (Entered: 03/05/2012)
03/20/2012	<u>11</u>	REQUEST for Default Judgment against defendants' United States Department of Justice, United States Parole Commission, United States Probation Department, and Federal Bureau of Prisons filed by plaintiff James Lee Pinkerton. (bp) (Entered: 03/22/2012)

03/20/2012	<u>12</u>	PROOF OF SERVICE Executed by Plaintiff James Lee Pinkerton, upon Plaintiff Federal Bureau of Prisons served on 12/12/2011, answer due 2/10/2012; United States Department of Justice served on 12/12/2011, answer due 2/10/2012; United States Parole Commission served on 12/12/2011, answer due 2/10/2012; United States Probation Department served on 12/7/2011, answer due 2/5/2012. Service of the Summons and Complaint were executed by certified mail. Signed returned receipts of certified mail by Federal Bureau of Prisons, U.S. Probation Dept., and U.S. Attorney's Office attached. Returned receipts of certified mail by Department of Justice U.S. Attorney General, and United States Parole Commission are attached, but not signed. Original Summons NOT returned. (bp). (Entered: 03/22/2012)
03/22/2012	<u>13</u>	NOTICE OF DEFICIENCY Re: REQUEST for Default Judgment against defendants' United States Department of Justice, United States Parole Commission, United States Probation Department, and Federal Bureau of Prisons <u>11</u> . The Clerk cannot enter the requested relief as Proof of Service is lacking required information. Proof of service does not state if service was made pursuant to Federal or State statute and the certified mail receipts on Defendant of Justice U.S. Attorney General and United States Parole Commission are not signed. Request forwarded to assigned Judge for consideration. The clerk cannot enter the request Default Judgment against Defendants for the following reasons: No entry of default on file. No judgment by default may be entered by the clerk against the United States or an incompetent person. The request for entry of default has been forwarded to the assigned Judge.. (bp) (Entered: 03/22/2012)
06/19/2012	<u>14</u>	NOTICE PLAINTIFF NOTIFYING THECLERK THAT THE DEFICIENCIES IN THE PROOF OF SERVICE HAVE BEEN CORRECTED filed by Plaintiff James Lee Pinkerton. (bp) (Entered: 06/21/2012)
06/27/2012	<u>15</u>	NOTICE OF MOTION AND MOTION to Dismiss Case filed by Defendants Federal Bureau of Prisons, United States Department of Justice, United States Parole Commission, United States Probation Department. Motion set for hearing on 8/27/2012 at 10:00 AM before Judge Margaret M. Morrow. (Staub, Keith) (Entered: 06/27/2012)
07/10/2012	<u>16</u>	MINUTE ORDER IN CHAMBERS Order Advancing Briefing Schedul <u>15</u> by Judge Margaret M. Morrow: The court, on its own motions, hereby advances briefing on defendants' motion. Any opposition by plaintiff is due on or before July 30, 2012. Any reply by defendants is due on or before August 6, 2012. (bp) (Entered: 07/10/2012)
07/27/2012	<u>17</u>	OBJECTION TO MOTION to Dismiss Case <u>15</u> filed by Plaintiff James Lee Pinkerton. (bp) (Entered: 08/01/2012)
08/06/2012	<u>18</u>	REPLY In Support of MOTION to Dismiss Case <u>15</u> filed by Defendants Federal Bureau of Prisons, United States Department of Justice, United States Parole Commission, United States Probation Department. (Staub, Keith) (Entered: 08/06/2012)
08/24/2012	<u>19</u>	TEXT ONLY ENTRY: Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, the court finds that plaintiff's motion to dismiss <u>15</u> is appropriate for decision without oral argument. The hearing calendared for 08/27/2012 at 10AM, is hereby vacated, and the matter is taken off calendar. The matter will be deemed submitted on the vacated hearing date, and the clerk will notify the parties when the court has reached a decision by Judge Margaret M. Morrow THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(ah) TEXT ONLY ENTRY (Entered: 08/24/2012)
09/19/2012	<u>20</u>	ORDER GRANTING DEFENDANTS' MOTION TO DISMISS by Judge Margaret M. Morrow: The court grants' motion to dismiss <u>15</u> Motion to Dismiss Case (bp) (Entered: 09/20/2012)
09/19/2012	<u>21</u>	JUDGMENT FOR DEFENDANTS by Judge Margaret M. Morrow. IT IS ORDERED AND ADJUDGED That plaintiff take nothing by way of his complaint; and That the action be, and it hereby is, dismissed. (MD JS-6, Case Terminated). (bp) (Entered: 09/20/2012)